United Nations A/56/690–S/2001/1165

General Assembly
Security Council

Distr.: General
10 December 2001

Original: English

General Assembly
Fifty-sixth session
Agenda items 62 and 162

Question of Cyprus

Report of the International Law Commission on the work of its fifty-third session

Security Council
Fifty-sixth year

Letter dated 6 December 2001 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 6 December 2001, addressed to you by His Excellency Mr. Aytuğ Plümer, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under agenda items 62 and 162, and of the Security Council.

(*Signed*) Ümit **Pamir**
Ambassador
Permanent Representative

01-68695 (E) 121201

Annex to the letter dated 6 December 2001 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the statement made by the Greek Cypriot representative on 31 October 2001, at the Sixth Committee under the agenda item entitled "Report of the International Law Commission on the work of its fifty-third session". Since the Greek Cypriot delegate, purporting to represent the so-called "Government of the Republic of Cyprus", has, once again, exploited this forum, where the Turkish Cypriot side is denied its lawful representation, to make false accusations against the Turkish Cypriot side and Turkey, I am compelled to respond to these accusations in writing.

The Greek Cypriot representative, by distorting historical facts, is attempting to cover up the acts of terror and aggression committed by the Greek Cypriot administration against the Turkish Cypriot people between 1963 and 1974. The Turkish Cypriots as one of the two co-founder partners of the 1960 Republic of Cyprus were, in December 1963, subjected to armed aggression by the Greek Cypriots aspiring to achieve ENOSIS i.e. union of Cyprus with Greece. The ethnic cleansing campaign embarked upon by the Greek Cypriots during this period took a heavy toll on the Turkish Cypriots and forced those who could escape the carnage to abandon their homes and villages and to seek shelter in enclaves away from Greek Cypriot aggression. The division of the island both territorially and ethnically came about in 1963 as a direct consequence of the Greek Cypriot onslaught on the Turkish Cypriots. The Greek Cypriot leadership also disrupted the constitutional order, by illegally amending the basic articles of the 1960 Constitution which could not in any way be amended, whether by way of variation, addition or repeal, in the absence of Turkish Cypriot representatives.

On 20 July 1974, following the coup d'état carried out by the Junta in Greece in collaboration with its Greek Cypriot surrogates in Cyprus, which aimed at annexing the island to Greece and annihilating the Turkish Cypriot people, Turkey had no choice but to intervene, in accordance with her rights and obligations under the 1960 Treaty of Guarantee. Therefore, the Turkish military presence in Northern Cyprus, which is in accordance with the 1960 Treaty of Guarantee and enjoys the consent of the Turkish Republic of Northern Cyprus, is legitimate and a vital security requirement for the Turkish Cypriot people against the repetition of Greek Cypriot aggression.

With regard to the decision of the European Court of Human Rights both in the case of *Loizidou* and the fourth "state application" by the Greek Cypriot administration, I would like to reiterate our position, which was extensively expounded in President Rauf R. Denktaş's letter of 31 May 2001 (A/55/986-S/2001/575) and my letters of 27 August 2001 (A/55/1030-S/2001/824) and 22 October 2001 (A/56/504-S/2001/1006) all addressed to you. The Court has based its decisions on political considerations, wrongfully isolating the Turkish Republic of Northern Cyprus from the proceedings, and considering Turkey, which has no jurisdiction in Northern Cyprus, as the party to the proceedings. Naturally, this wrong premise has led to wrong conclusions.

The allegations by the Greek Cypriot representative based on attempts to draw parallels between the Iraqi invasion of Kuwait in 1990 and the situation in Cyprus is

a total distortion of historical facts. The only parallel between the two cases, is that the illegal invasion and annexation of Kuwait by Iraq was reversed by the United States-led international coalition, and the attempted invasion and annexation of Cyprus by Greece was thwarted by the timely intervention of Turkey. It should be recalled that, in his statement before the Security Council on 19 July 1974, the then Greek Cypriot leader Archbishop Makarios openly accused the Greek military regime of violating the independence of Cyprus and extending its dictatorship to the island, which amounted to an invasion from the effects of which both Greek Cypriots and Turkish Cypriots would suffer (official records of the Security Council, S/PV.1780).

Since the Greek Cypriot representative chose to refer to the responsibility of States, which was discussed in the Sixth Committee under agenda item 162, I will also take this opportunity to emphasize that the illegal acts of the Greek Cypriot leadership between 1963 and 1974, as well as the coup d'état staged by the Greek junta, undoubtedly constitute breaches of a number of international obligations, within the meaning of the terms of the relevant articles on State responsibility prepared by the International Law Commission, as contained in document A/56/589.

Needless to say, the Greek Cypriot insistence on making baseless allegations against the Turkish Republic of Northern Cyprus and Turkey, particularly at this sensitive stage, does not facilitate the efforts in the search for a settlement between the two States of Cyprus. Reconciliation in the island can be greatly facilitated if the Greek Cypriot side would accept the reality that it is not the "government" of the whole of Cyprus. We trust that you will urge the Greek Cypriot administration to stop exploiting international forums against the Turkish Republic of Northern Cyprus and Turkey since this will impede efforts towards facilitating a process of reconciliation in the island.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda items 62 and 162, and of the Security Council.

(*Signed*) Aytuğ **Plümer**
Representative
Turkish Republic of Northern Cyprus

United Nations A/ES-10/129–S/2001/1166

General Assembly
Security Council

Distr.: General
10 December 2001

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-sixth session

Identical letters dated 10 December 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Israel, the occupying Power, continues with its bloody military campaign against the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, committing yet additional war crimes and State terrorism. Today, in another attempt at extrajudicial executions, Israeli helicopter gunships fired missiles at a Palestinian car in the city of Al-Khalil (Hebron), killing two children, 3-year-old Burhan Himouni and 16-year-old Shadi Arafa. In addition, this Israeli attack resulted in the wounding of six men, including the apparent intended target.

Before dawn on Sunday, 9 December 2001 (Palestine time), Israeli tanks and personnel carriers supported by helicopter gunships invaded the village of Anabta to the East of Tulkarem. While occupying the village, Israeli occupying forces heavily shot at a Palestinian police car and a following car, killing in cold blood four policemen and seriously injuring two others. Israeli occupying forces also dynamited a house and burned another after storming into all the houses of the village. Moreover, in two successive air raids, Israeli fighter jets levelled the headquarters of the Palestinian police in Gaza City, and Israeli helicopter gunships fired on and destroyed a building belonging to the Palestinian security police in Rafah at dawn on Friday, 7 December, and Saturday, 8 December 2001, respectively.

In addition to the above, on Wednesday, 5 December 2001, in the city of Ramallah, Israeli occupying forces stormed and vandalized the Palestinian Central Bureau of Statistics, confiscating valuable materials. The occupying Power then added the condemnable critical step of convening the Israeli weekly cabinet meeting yesterday, 9 December 2001, in the Occupied Territories near the city of Ramallah. All of the above actions indicate, beyond any doubt, that the Government of Mr. Ariel Sharon wants to ensure the failure of any attempt to get out of the current tragic situation. Furthermore, it shows that the government is bent on the destruction of the capacity of the Palestinian people, the Palestinian Authority and any potential for peace in the Middle East.

01-68689 (E) 101201

In follow-up to my previous 83 letters to you regarding this grave situation in the Occupied Palestinian Territory, including Jerusalem, dated from 29 September 2000 to 4 December 2001 (A/55/432-S/2000/921; A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-10/40-S/2000/1025; A/ES-10/42-S/2000/1068; A/ES-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107; A/ES-10/47-S/2000/1116; A/ES-10/48-S/2000/1129; A/ES-10/49-S/2000/1154; A/ES-10/50-S/2000/1173; A/ES-10/51-S/2000/1185; A/ES-10/52-S/2000/1206; A/ES-10/53-S/2000/1247; A/ES-10/54-S/2001/7; A/ES-10/55-S/2001/33; A/ES-10/56-S/2001/50; A/ES-10/57-S/2001/101; A/ES-10/58-S/2001/131; A/ES-10/59-S/2001/156; A/ES-10/60-S/2001/175; A/ES-10/61-S/2001/189; A/ES-10/64-S/2001/209; A/ES-10/65-S/2001/226; A/ES-10/66-S/2001/239; A/ES-10/67-S/2001/25[illegible]; A/ES-10/68-S/2001/284; A/ES-10/69-S/2001/295; A/ES-10/70-S/2001/304; A/ES-10/71-S/2001/314; A/ES-10/72-S/2001/332; A/ES-10/75-S/2001/352; A/ES-10/76-S/2001/372; A/ES-10/79-S/2001/418; A/ES-10/80-S/2001/432; A/ES-10/81-S/2001/447; A/ES-10/82-S/2001/463; A/ES-10/83-S/2001/471; A/ES-10/84-S/2001/479; A/ES-10/85-S/2001/486; A/ES-10/86-S/2001/496; A/ES-10/87-S/2001/504; A/ES-10/88-S/2001/508; A/ES-10/89-S/2001/544; A/ES-10/90-S/2001/586; A/ES-10/91-S/2001/605; A/ES-10/92-S/2001/629; A/ES-10/93-S/2001/657; A/ES-10/94-S/2001/669; A/ES-10/95-S/2001/686; A/ES-10/96-S/2001/697; A/ES-10/97-S/2001/708; A/ES-10/98-S/2001/717; A/ES-10/99-S/2001/742; A/ES-10/100-S/2001/754; A/ES-10/101-S/2001/783; A/ES-10/102-S/2001/785; A/ES-10/103-S/2001/798; A/ES-10/104-S/2001/812; A/ES-10/105-S/2001/814; A/ES-10/107-S/2001/821; A/ES-10/108-S/2001/826; A/ES-10/111-S/2001/880; A/ES-10/112-S/2001/918; A/ES-10/114-S/2001/928; A/ES-10/115-S/2001/932; A/ES-10/116-S/2001/941; A/ES-10/117-S/2001/971; A/ES-10/118-S/2001/989; A/ES-10/119-S/2001/991; A/ES-10/121-S/2001/1007; A/ES-10/122-S/2001/1024; A/ES-10/123-S/2001/1036; A/ES-10/124-S/2001/1084; A/ES-10/125-S/2001/1092; A/ES-10/126-S/2001/1118 and A/ES-10/128-S/2001/1149), I regret to inform you that since my last letter to you, on 4 December, 14 more Palestinians have been killed by the Israeli occupying forces. (The names of the martyrs are contained in the annex to the present letter.) These killings raise the total number of Palestinians killed since 28 September 2000 to 803 martyrs.

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Dr. Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine
to the United Nations

Annex to the identical letters dated 10 December 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by Israeli occupying forces in the Occupied Palestinian Territory, including Jerusalem[a] (Thursday, 6 December, to Monday, 10 December 2001)

Thursday, 6 December 2001

1. Taj Al-Dean Rajab Al-Masri
2. Saqr Al-Dabary (from wounds sustained)

Friday, 7 December 2001

1. Lo'ay Selim Mashal
2. Aid Ahmed Mashal

Saturday, 8 December 2001

1. Khalil Abdel Fatah Abu Shaweesh (from wounds sustained)

Sunday, 9 December 2001

1. Adnan Mahmoud Suliman Jumaa
2. Ahmed Sameeh Ahmed Al-Koo'a
3. Saeed Abdel Fatah Saeed Al-Dredey
4. Munif Helmy Mohammed Hamada
5. Marwan Subhi Jamil Abu Mu'nes
6. Naief Fares Kasem Kabha

Monday, 10 December 2001

1. Burhan Himouni (3 years old)
2. Shadi Arafa (16 years old)
3. Ayman Abdel Hamid Eid

[a] The total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 is 803.

United Nations S/2001/1167

Security Council

Distr.: General
10 December 2001
English
Original: French

Letter dated 10 December 2001 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit to you herewith the text of a communication dated 3 December 2001 from the Secretary-General of the North Atlantic Treaty Organization (see annex).

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

01-68842 (E) 111201 111201

Annex

[Original: English]

Letter dated 3 December 2001 from the Secretary-General of the North Atlantic Treaty Organization to the Secretary-General

In accordance with Security Council resolution 1088 (1996), I attach the monthly report on the operations of the Stabilization Force (see enclosure). I would appreciate your making this report available to the Council.

(*Signed*) George **Robertson**

Enclosure

Monthly report to the Security Council on the operations of the Stabilization Force

1. Over the reporting period (1-31 October 2001), there were just over 19,000 troops deployed in Bosnia and Herzegovina and Croatia with contributions from all North Atlantic Treaty Organization (NATO) allies and from 15 non-NATO countries.

2. During the period under review, the situation in Bosnia and Herzegovina remained relatively stable. The Stabilization Force (SFOR) continued its mission of ensuring a safe and secure environment throughout the area.

3. During the night of 30 September/1 October, an explosive device was thrown at the house of a local imam in Zepce; there was material damage but no injuries. On 19 October, a hand grenade was thrown at a villa in Gacko, and later the same day a women died in an arson attack in Derventa.

4. SFOR troops were attacked on two separate occasions: on 8 October, a grenade which did not explode was thrown at a fuel tanker convoy travelling from Simin Han to Priboj; and on 21 October, an SFOR patrol near Camp Butmir was attacked with about 15 to 20 rounds of automatic rifle fire — there were no injuries. These are the first violent incidents directed at SFOR since the anti-fraud operation conducted at the Hercegovaka Banka in April.

5. SFOR troops continued to monitor compliance by the Entity Armed Forces, to conduct weapons storage site inspections and consolidations, and to provide support to the international organizations in theatre, and to local authorities collecting weapons and ammunition in the framework of Operation Harvest. Two underground bunkers of military equipment and 20 cases of ammunition were discovered in the vicinity of Han Pijesak.

Cooperation and compliance by the parties

6. The situation in theatre remained relatively calm throughout the reporting period, with the Entities in substantial compliance with the military provisions of the Peace Agreement.

7. During the period under review, SFOR troops conduct 79 weapons storage site inspections: 18 Bosnian Serb; 29 Bosniac; 15 Bosnian Croat; and 17 Federation. The inspection of weapons storage sites to ensure compliance remains a priority task for SFOR.

8. SFOR troops monitored 276 training and movement activities during the reporting period: 115 Bosnian Serb; 81 Bosniac; 8 Bosnian Croat; and 72 Federation.

9. Over the period, a total of 350 mine-clearing activities were monitored: 158 Bosnian Serb; 90 Bosniac; 24 Bosnian Croat; and 78 Federation.

Cooperation with international organizations

10. Within capabilities and in accordance with its mandate, SFOR continues to provide assistance to the international organizations in theatre, including the United Nations Mission in Bosnia and Herzegovina (UNMIBH), the International Police

Task Force, the Office of the High Representative, the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the Organization for Security and Cooperation in Europe, and the Office of the United Nations High Commissioner for Refugees (UNHCR).

11. SFOR continues to support the efforts of the Office of the High Representative by providing patrols to monitor the situation in Dobrinja.

12. SFOR provided assistance to the International Police Task Force during an inspection of the Banja Luka police station carried out from 1 to 8 October.

13. During the period under review, SFOR provided a safe and secure environment in support of the work of the International Tribunal in exhumations and reburials in the areas of Cajnice, Jakarina Kosa, Bos Petrovac, Gornji Vakuf, Stolac, Bos Krupa, Ilidza, Krupac, Drvar, Bugojno, Sarajevo and Foca; and at the end of October, during exhumations carried out from other mass graves in Sanski Most and Kljuc.

Displaced persons and refugees

14. SFOR continues to support UNHCR as displaced persons return to Bosnia and Herzegovina. Tension among ethnic groups resulting from the return of displaced persons and refugees, particularly in eastern Republika Srpska and cantons 7 and 10, continues to be of concern.

Outlook

15. The overall security situation in Bosnia and Herzegovina remains under control.

16. SFOR, the international community, and local government authorities have put in place a series of measures to counter any terrorist threat.

United Nations S/2001/1168

Security Council

Distr.: General
10 December 2001

Original: English

Letter dated 10 December 2001 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to forward to the Security Council Rwanda's response to the communiqué issued by the Government of the Democratic Republic of the Congo through its representative at the United Nations on 3 December 2001 (S/2001/1146).

I should be grateful if you would kindly circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Dr. Anastase **Gasana**
Ambassador
Permanent Representative of Rwanda to the United Nations

01-68744 (E) 101201

Annex to the letter dated 10 December 2001 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

After reading the communiqué issued by the Government in Kinshasa through its representative at the United Nations and in Brussels, the Government of Rwanda would like to state the following:

- The Force Commander of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) visited Kigali on 6 December 2001 and had discussions with Rwandan officials. The Force Commander categorically denied that MONUC had observed the sort of troop movements described by the Kinshasa Government.

- The Government of Kinshasa should channel any anxieties it might have through the Joint Military Commission (JMC) and MONUC so that a proper investigation is made. This is the established procedure used by all parties who respect the Lusaka Agreement.

- The Rwandan Government has not made any changes to its troop deployment in the Democratic Republic of the Congo. The assertion that the information "has been not denied and observed" by the Special Representative of the Secretary-General, Mr. Ngongi, is a matter to be sorted out between him and Mr. Itoki.

- Suffice it to say that Rwanda has troops in the new defensive positions, agreed in the Harare Plans, in Kalemie, and other places in the Katanga as expected. No 3,000 soldiers of the Rwanda Patriotic Army entered Bukavu. Moreover, MONUC investigated earlier charges about Kanyabayonga and found them not to be true. The Kinshasa Government should resort to a MONUC/JMC investigation before going to the Security Council, which will in any case demand facts as established by MONUC.

- The 12th Political Committee directed that the occupation of Muliro by the Forces armées congolaise (FAC), which is in violation of the Lusaka Agreement, should be reversed. The reason Kinshasa is talking of troop movements is a vain attempt to reverse this decision.

- Security Council resolution 1376 (2001), calls on the Kinshasa Government to cease any form of assistance to the armed groups. Since May 2001, FAC established the base at Muliro to resupply, support and facilitate movement of the Army for the Liberation of Rwanda (ALIR) and the Forces pour la défense de la démocratie (FDD). The reported battles along Lake Tanganyika, in Fizi, Mwenga, etc., are a direct result of this violation. FAC commanders are directly involved in the command of these forces.

- However, the famous transfer of the war to Rwanda has not been successful so far. The prospects of the FAC losing their tactical base at Muliro are very high, either through due process or by eviction. The looming defeat of their project explains why the Kinshasa Government is crying wolf.

- All these wild allegations by the Kinshasa Government clearly show that its primary concern is the survival of the forces of ALIR I (ex-Forces armées rwandaises and Interahamwe). Its nearest forces are in Mbandaka.

- It is not surprising that all of a sudden the Kinshasa Government has lost all other "aggressors" and their "creations" except Rwanda. It is trying to save the only effective fighting force it has, the EX-FAR/Interahamwe (ALIR), because it does not believe in a negotiated settlement of the conflict through the provisions of the Lusaka Agreement.

United Nations A/56/693–S/2001/1169

General Assembly
Security Council

Distr.: General
11 December 2001
English
Original: Russian

General Assembly
Fifty-sixth session
Agenda item 43
The situation in Afghanistan and its implications for international peace and security

Security Council
Fifty-sixth year

Letter dated 7 December 2001 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

As a representative of the State chairing the statutory bodies of the Commonwealth of Independent States (CIS), I have the honour to transmit herewith the text of the statement by the heads of the CIS States members on the situation in Afghanistan, adopted on 30 November 2001 in Moscow (see annex).

I should be grateful, if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) S. **Lavrov**

01-68916 (E) 121201 121201

Annex to the letter dated 7 December 2001 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Statement by the heads of the States members of the Commonwealth of Independent States on the situation concerning Afghanistan

Adopted on 30 November 2001

We, the heads of the States members of the Commonwealth of Independent States (CIS), assess positively the conduct of the anti-terrorist operation by the international coalition in Afghanistan. We note that its coordination with the successful military action by the forces of the United Front has made it possible to strike a serious blow at the infrastructure of global terrorism and extremism in the territory of Afghanistan, including the Taliban, and is promoting the strengthening of general regional security and international stability.

We firmly advocate that the struggle by the world community against global terrorism should be conducted on a comprehensive and long-term basis in accordance with international law, and, first and foremost, the Charter of the United Nations. In order to eradicate the hotbeds of instability in Afghanistan, it is necessary to combine in a flexible manner measures based on force and political, legal and economic measures for bringing pressure to bear on the sources of the terrorist, extremist and drug threats. We emphasize that confronting terrorism, which has no specific national or regional face, is not a struggle against Islam or separate countries.

We declare our support for the process of a political settlement in Afghanistan under the auspices of the United Nations leading to the replacement of the Taliban regime, which has lost the right to be represented in power structures, and to the formation in the country of a multi-ethnic and broadly representative government, in accordance with Security Council resolution 1378 (2001). We stress that determining the future of Afghanistan is the exclusive and inalienable right of the Afghans themselves, who are faced with the task of building a renewed State that lives in peace and harmony with its neighbours and the international community as a whole, and we call for increased humanitarian assistance to the Afghan people and the elaboration of a broad international programme for the post-war restoration of Afghanistan's national economy.

We confirm our States' firm intention to take all necessary steps to ensure security in the territory of the CIS States members and to participate actively in setting up a global system to counteract terrorism in close cooperation with all interested countries and international organizations, with the leading role played by the United Nations and its Security Council.

United Nations S/2001/1170

Security Council

Distr.: General
11 December 2001
English
Original: Spanish

Letter dated 7 December 2001 from the Permanent Representative of Chile to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you herewith the declaration by the Rio Group concerning the latest events in the Middle East.

On behalf of the Member States of the Rio Group, I should be grateful if you would have this text circulated as a document of the Security Council.

(*Signed*) Juan Gabriel **Valdés**
Permanent Representative of Chile to the United Nations

01-68991 (E) 111201 111201

Annex to the letter dated 7 December 2001 from the Permanent Representative of Chile to the United Nations addressed to the President of the Security Council

Declaration on the Middle East

In view of the very serious deterioration of the situation in the Middle East, which is witnessing a succession of violent acts involving and affecting the authorities and peoples of Israel and Palestine, the Rio Group has agreed to:

1. Call upon the Government of the State of Israel and the Palestinian National Authority to do their utmost to bring an immediate halt to all acts of violence, as recommended in the Mitchell report, so as to restore the minimum conditions of confidence necessary to prevent a deterioration of the present situation, which poses a threat to security and peace in the region and in the world.

2. Reiterate the Declaration made on 14 November 2001, in New York, by the Ministers for Foreign Affairs of the Rio Group concerning the crisis in the Middle East.

3. Request the Secretary-General of the United Nations to continue making every effort to bring about a rapprochement between the parties.

In order to contribute to the achievement of the above-mentioned objectives, the Rio Group will join with other countries of the international community and, in particular, with other regional groups such as the European Union, in the efforts to achieve that same objective of peace and security.

The Secretariat pro tempore will promptly communicate the text of this pressing appeal and position of the Rio Group to the Government of Israel and the Palestinian National Authority. It will also take steps to have the secretariat of the United Nations Security Council circulate this declaration among the members of that organ for their information.

Santiago, Chile, 5 December 2001

United Nations S/2001/1171

Security Council

Distr.: General
6 December 2001

Original: English

Letter dated 6 December 2001 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council

In accordance with Article 51 of the Charter of the United Nations, I wish on behalf of my Government to report to the Security Council on measures that the Kingdom of the Netherlands has taken following the armed attacks against the United States of America on 11 September 2001.

The Netherlands will be providing the international coalition against terrorism with air-transport capacity (air-to-air refuelling), naval forces, navy aviation (Orion-maritime patrol planes) and necessary support. Some of these units will be deployed in the Caribbean as backfill for American military forces in that region.

The Netherlands has taken these measures in the exercise of the inherent right of individual and collective self-defence (Article 51 of the Charter). The Netherlands wants to underline that these measures are not directed against the Afghan population or against Islam.

I should be grateful if you would draw the attention of the members of the Security Council to the present letter and have it distributed as a document of the Security Council.

(*Signed*) Dirk Jan **van den Berg**
Ambassador
Permanent Representative

01-68161 (E) 061201

United Nations S/2001/1172

Security Council

Distr.: General
6 December 2001
English
Original: French

Letter dated 5 December 2001 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey to you herewith, for transmittal to members of the Security Council, the text of letters exchanged between the United Nations Secretariat and the Permanent Mission of Iraq to the United Nations following the adoption by the Council of resolution 1382 (2001) of 29 November 2001, extending for an additional period of 180 days, effective 1 December 2001, the memorandum of understanding of 20 May 1996 concerning the implementation of resolution 986 (1995) (see annexes I and II).

(*Signed*) Kofi A. **Annan**

01-68167 (E) 071201 071201

Annex I

Letter dated 1 December 2001 from the Under-Secretary-General for Legal Affairs, the Legal Counsel, addressed to the Permanent Representative of Iraq to the United Nations

I have the honour to refer to Security Council resolution 1382 (2001) of 29 November 2001, by which the Council decided, inter alia, that the relevant provisions of its resolution 986 (1995) will remain in force for a new period of 180 days beginning at 0001 hours, United States Eastern Standard Time, on 1 December 2001. I should also like to refer to an exchange of letters between the Secretariat of the United Nations and the Permanent Mission of Iraq to the United Nations dated 5 July 2001, extending, in the light of Security Council resolution 1360 (2001) of 3 July 2001, the memorandum of understanding of 20 May 1997 between the Secretariat of the United Nations and the Government of Iraq on the implementation of Security Council resolution 986 (1995) for a period of 150 days, effective 4 July 2001.

In view of the foregoing, I have the honour to propose that the provisions of the memorandum of understanding of 20 May 1996 be extended for an additional period of 180 days, effective 1 December 2001.

It is understood that the distribution plans which have already been approved but have not yet been implemented shall continue to apply for goods purchased with oil revenues generated under the respective Security Council resolutions.

If your Government agrees to this proposal, I suggest that the present letter, and your reply thereto, shall constitute an agreement between the Secretariat of the United Nations and the Government of Iraq. This, however, does not apply to the second sentence of your reply, which is a unilateral statement by the Government concerning matters outside the scope of the mandate of the Secretariat in relation to the present exchange of letters, and which furthermore, as we understand it, does not affect the nature of the applicable resolutions adopted in accordance with relevant provisions of the Charter of the United Nations.

(*Signed*) Hans **Corell**
Under-Secretary-General for Legal Affairs
The Legal Counsel

Annex II

Letter dated 1 December 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Under-Secretary-General for Legal Affairs, the Legal Counsel

I have the honour to inform you that the Government of the Republic of Iraq has agreed to the proposal contained in your letter of 1 December 2001 for the extension of the provisions of the memorandum of understanding between the Secretariat of the United Nations and the Government of the Republic of Iraq of 20 May 1996 for an additional period of 180 days, effective 1 December 2001. In that connection, the Government of the Republic of Iraq wishes to confirm its position that it is not concerned with or committed to any resolutions, arrangements, measures, concepts or orientations not provided for in the memorandum of understanding between the Secretariat of the United Nations and the Government of the Republic of Iraq of 20 May 1996 or not agreed upon by the Government of Iraq, and that the last sentence of your letter expresses the position of the Secretariat of the United Nations.

(*Signed*) Dr. Mohammed **Aldouri**
Ambassador
Permanent Representative of Iraq to the United Nations

United Nations S/2001/1173

Security Council

Distr.: General
7 December 2001

Original: English

Letter dated 6 December 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

In the last several months, false allegations have been made regarding the disclosure of information on the location of minefields in southern Lebanon. In order to clarify the facts relating to this matter, Israel would like to convey the following:

On 24 May 2000, Israeli forces completely withdrew from southern Lebanon in full and confirmed compliance with Security Council resolution 425 (1978). On 29 May 2000, only five days after Israel's withdrawal, Israel Defence Force (IDF) liaison officers held a series of meetings with the senior command of the United Nations Interim Force in Lebanon (UNIFIL) and transferred all the information available to the IDF, as well as detailed maps previously used by the IDF, regarding the location in southern Lebanon of minefields and areas suspected of containing mines and other explosive devices. This included all information regarding mines or other explosive devices planted by other elements operating in the area. No efforts were spared to assist UNIFIL and to clarify all questions relating, inter alia, to specific map markings.

Upon receiving the Israeli maps and files, the UNIFIL senior command signed official confirmations of transfer of that information.

As is widely known, southern Lebanon has served as a breeding ground for terrorist activities for many years. Throughout this long period, large quantities of mines, booby traps and other devices have been laid by terrorist groups and individual terrorists. Those mines and explosive devices were never marked, mapped or reported, nor were the areas fenced off in order to avoid civilian casualties. Today, these mines and booby traps continue to pose a serious threat to the population of southern Lebanon.

Pursuant to Security Council resolution 425 (1978), and in accordance with international law, it is the responsibility of the Government of Lebanon to establish effective control and authority in the area and restore international peace and security to southern Lebanon. Clearly, the failure to fulfil these responsibilities with respect, inter alia, to minefields, endangers the civilian population in the area.

Israel remains willing to assist and cooperate with UNIFIL should any further clarifications be required with regard to the information it has transferred.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

01-68230 (E) 071201

United Nations S/2001/1174

Security Council

Distr.: General
7 December 2001
English
Original: Spanish

Letter dated 5 December 2001 from the Permanent Representative of Colombia to the United Nations addressed to the President of the Security Council

I have the honour to request you, as President of the Security Council for December, in connection with the consideration of the situation in West Africa and the meeting to be held on 18 December, to have the document entitled "Regional approaches to conflict management in Africa" (see annex)* circulated as a document of the Security Council.

(*Signed*) Alfonso **Valdivieso**
Ambassador, Permanent Representative

* The annex is being circulated in the language of submission.

01-68398 (E) 071201 071201

Annex to the letter dated 5 December 2001 from the Permanent Representative of Colombia to the United Nations addressed to the President of the Security Council

[Original: English]

Regional Approaches to Conflict Management in Africa

Acknowledgement

The International Peace Academy is very pleased to have been asked by the Permanent Mission of Colombia to collaborate in the organization and conduct of a meeting for the Security Council and members of the United Nations Secretariat on "Regional Approaches to Conflict Management in Africa" during the August 2001 Colombian Presidency of the Council. We wish to commend the leadership and commitment of the Colombian Mission to the United Nations, and the personal involvement of Minister of Foreign Affairs Guillermo Fernandez de Soto, in utilizing its Presidency of the Security Council to address this important issue at the very moment when African leaders and civil society are intent on strengthening their conflict prevention and management capacities. We are deeply grateful to Ambassador Alfonso Valdivieso for initiating this project. IPA's long and close relationship with the Security Council members together with the ongoing work of our Africa Program in seeking to strengthen the capacity of African regional and sub-regional organizations lies at the heart of this collaboration.

Introduction

On August 8 2001, the Permanent Mission of Colombia to the United Nations, during its Presidency of the Security Council, and the International Peace Academy co-hosted a meeting on Regional Approaches to Conflict Management in Africa. The purpose of this meeting was to facilitate an informal discussion on the advantages and potential pitfalls for the United Nations system, including in particular for the Security Council, of approaching conflicts in Africa from a regional perspective, with an emphasis on West Africa and the Great Lakes region.

This report is organized in two parts. First, the report includes a concise summary of the presentations that stimulated the substantive discussion among participants. Second, the report highlights a number of politically relevant issues raised during the discussion that may shape future engagements of the Security Council in conflict management in Africa.

Summary of the presentations

1. A conceptual overview[1]

The nature and complexity of conflicts can be defined and clarified through a Regional Conflict Formation framework. This framework is explained through four main points.

First, conflicts are regional. Most of the conflicts that confront the international community are not intra-state, as is commonly said, but consist of networks of conflict situations that link entire regions into what are known as *regional conflict formations*. These conflicts are linked through a variety of negative processes, including invasion, subversion, collapse of state capacities, cross-border ethnic or religious solidarities, smuggling, looting, arms trafficking, and forced population movements.

Second, regional conflict formations include regional military, political, economic, and social networks, which are in turn often linked to global networks. For instance, most arms are produced, and most cocaine, opium, diamonds, and coltan sold, outside conflict zones.

Third, a regional strategy links measures addressing all elements of a regional conflict formation and should be comprehensive not only geographically but functionally, in addressing all factors promoting conflict: linkages of key actors within sub-regions such as armed groups; provision of security and relief to affected

[1] Presentation by Dr. Barnett Rubin, Director of Studies, Centre on International Co-operation, New York University. This is the full text.

populations, targeting the youths, who play significant roles in transnational conflicts, etc.

Finally, a regional approach needs to include regional and/or sub-regional actors. Their role will vary depending on several factors, including the structure of both the conflict and the region, and the capacities of the region as such and its components, including states, regional or sub-regional intergovernmental organizations, and civil society networks.

2. Regional approach to conflict management in West Africa[2]

West Africa is ripe for a regional approach to conflict management. While emphasis on regional management of security issues is not new to West Africa, the concept of the region has been refined and expanded during the 1990s. Since the end of the Cold War, leaders in the region as in the rest of Africa, have recognized that a country by country approach does not address the root causes of conflicts comprehensively. Since the civil war in Liberia, conflicts have escalated, unleashing significant humanitarian consequences across borders.

Frustrated with the international community, and experiencing declining confidence in the UN, West Africa sought to create some degree of self-sufficiency. This has been reflected in the revised charter that has included a clause allowing ECOWAS to intervene before informing the Security Council (chapter 5 of the Protocol).

The emergent framework is integrative, and is intended to complement the national approach, as well as to bring the UN closer to the theatre of conflicts in West Africa. It is based on an elaborate all-inclusive strategy for conflict management, which gives ECOWAS the role of the interlocutor in the region.

The effectiveness of the strategy, however, depends on the Security Council's support in boosting and creating the required capacities. In this regard, the recommendation by the Inter Agency Task Force for the creation of a regional UN Office for West Africa is an opportunity to catalyze building of such capacity in ECOWAS. The office would also enhance the Council's understanding of the regional dynamics, improve its reaction time, and facilitate an effective UN partnership with ECOWAS and other actors in the region. USAID and the EU have developed a regional approach for West Africa, which can be relevant to the UNSC.

3. A regional approach to security in the Great Lakes Region[3]

A concentric circle approach is a useful framework for conflict management in the Great Lakes region. Under this approach, the nation, the region, and the international community would have interrelated responsibilities that would facilitate strengthening state structures, encourage civil society participation, promote good neighborliness and regional economic integration, and facilitate full UN involvement in conflict management. The adoption of a regional approach for the Great Lakes region is a desirable framework to complement and reinforce existing regional peace initiatives such as the Arusha and Lusaka processes. A regional approach may also facilitate the disarmament of negative forces, address security concerns of neighboring states, and explore possibilities for a regional conference as either a one-off event or a permanent process for addressing problems in the region on a continuous basis.

A critical challenge in the Great Lakes is state collapse in the Democratic Republic of Congo, the only country with potential to play a hegemonic role. If this state is to become an effective partner in the resolution of conflicts in the region, its rehabilitation must be a primary concern. The concentric circles approach can provide for such reconstruction while dealing with sensitive issues such as the illegal exploitation of natural resources and the interests of foreign and negative forces and actors involved in the region.

Summary of the discussion[4]

A number of politically relevant issues that may shape future reflection and action by the Security Council with respect to Regional Approaches to Conflict Management in Africa were raised. Following are the salient points.

1. The scope of regional approaches to conflict management

The scope of regional approaches needs to be defined relative to national approaches, possibility of success, and regional perceptions.

Regional approaches should complement rather than replace national and global approaches to conflict

[2]Presentation by Professor Margaret Vogt, Special Assistant to the Assistant Secretary General, Department of Political Affairs, United Nations.

[3]Presentation by Professor Ibrahim Gambari, Under-Secretary-General and Special Adviser on Africa.

[4]Dr. Omar Bakhet, Director, Emergency Response Division, United Nations Development Program and Professor Guy Martin, African Studies Program, New York University, and Under Secretary General Olara Otunnu, Special Representative of the Secretary General for Children and Armed Conflict served as discussants. Their views as well as those of other participants are reflected in this section.

management. Regional approaches are neither a panacea nor cost free, and are not conceived to substitute national or global approaches. Hence, it is important that they be guided by clear objectives, respect for the opinion and role of countries concerned, and good partnerships between the Security Council and sub-regional organizations without abandoning national approaches. In addition, there are a number of issues on the global agenda with intimate links to conflicts, such as drugs and small arms, that are dealt with under the principle of shared responsibility. Global approaches continue to be valid to address global threats that worsen conflict situations.

The success of a regional approach is contingent on a number of factors. To be successful, regional approaches require, first, that main actors behind a conflict management strategy accept and agree with the definition of the region; second, that regional actors have positive perceptions of actors outside of the region (e.g., the Security Council); third, where relevant, the existence of a benign well-intentioned hegemon willing to build and sustain cohesion in the region, and willing to provide the necessary leadership; fourth that the interests of major powers do not collide with the development of a regional approach.

Regional approaches are desirable but the international community's perceptions may not coincide with those of the region creating limitations to effective conflict management. Differences in perceptions between regional actors and the international community (including the Security Council) may limit the effectiveness of regional approaches for conflict management. These differences may relate, for example, to the legitimacy of a government, the dimension of a humanitarian crisis, or the root causes of a conflict (national or regional origin). The dilemma, however, is which perception should prevail in defining a response to a crisis, i.e., the regional or the international perception. Furthermore, there is the risk that regional initiatives can be used as an excuse for the non-involvement of the international community in a specific situation.

2. The Security Council and regional approaches to conflict

Regional approaches create a number of challenges for the Security Council.

There are many difficulties in defining a region. Conflicts consist of networks expanding outward from one or several conflict cores, spreading in ways that may or may not correspond to geographical regions. Regions, therefore, are a dynamic and changing concept. Does a "region" defined in the Security Council to address the issue of refugees in a particular situation coincide with that defined to address the illicit traffic of small arms and light weapons? Does it coincide with perspectives of regional actors?

The right time for regional approaches in the Security Council may be difficult to determine. There are doubts as to the appropriate time to implement a regional approach. The many phases of conflict management going from conflict prevention strategies to successful peacebuilding programs offer a number of possible instances for Security Council intervention, given the range of instruments at its disposal. At what point should the Security Council opt for a regional approach?

Sovereignty continues to be a central pillar of the work of the Security Council. Historically, sovereignty has been a pillar of the international system. It is enshrined in international law and embedded in the UN Charter. However, a dissenting view cautions that in situations where governments lack legitimacy and populations do not identify with them, national and international law may become inapplicable and problematic for Security Council action. In addition, two views prevail on the responsibility of the Council with regard to conflict management strategies at the state or the regional levels. For some, the Council should remain focused on the state, drawing on its Charter and cautioned by the risk of over reaching. Accordingly, the challenge lies in finding ways to strengthen the state rather than weakening it. For the others, Council action should be guided by the realities on the ground. For them, the Council needs to remain highly flexible, considering each conflict situation on its merits and adopting a regional approach or a regional strategy, when deemed appropriate.

An accurate "scaling" of a conflict by the Security Council determines, in many cases, its own ability to incorporate a regional approach into its work. It is an important factor that builds into the politics of the Security Council's decision-making machinery. Available resources for conflict management are often limited, and regional approaches may provide a basis for a clear determination of the scope and nature of conflict. Moreover, given the complexity and scale of conflicts, the Council may need to consider engaging in fewer

cases, in a manner that produces positive consequences, rather than spread itself.

The Security Council and regional actors may not be ready yet to build solid partnerships. Many regional and sub-regional organizations are too fragile to cultivate coherence and consensus among states, or have institutions devoted predominantly to economic integration, lacking the capacity to engage in areas related to peace and security.

Regional approaches facilitate a deeper understanding of the complexity and dynamics of conflicts and the roles and agendas of various actors. Regional approaches open a space for national, regional and global actors to adopt multi-layered but integrated responses. In this connection, the Council needs to engage in better analysis of conflict situations and articulate strategic responses that go beyond military security perspectives. This would increase confidence in the Council at the regional level. Arria Formula meetings with regional representatives and closer interaction with specialized agencies and organs of the UN system that utilize the regional approach are steps in the right direction.

Regional perceptions of the Security Council matter. Regional perspectives tend to be positive when the Council is guided in its actions by principles, such as evenhandedness, which give it moral authority (for instance, in Sierra-Leone, Liberia, or Burundi).

3. Regional approaches in Africa: Final comments

Specific references were made in the discussion to regional approaches in West Africa and the Great Lakes. Some examples follow:

Regional Self-Help Initiatives in Africa have implications for the implementation of regional approaches. Africa is witnessing a positive trend in neighborhood self-help, as neighboring states lead initiatives without reference to the Security Council as in Burundi, Rwanda, Sierra-Leone, Liberia, Somalia, Sudan, and Lesotho. On the one hand, there are those who believe that this should be welcomed because it creates opportunities for African solutions to African problems. In this view, regional approaches should be applied at the request of regional actors. Others, however, argue that these initiatives are unsustainable because, unlike elsewhere in the world, where "neighborhood initiatives" are animated by a sense of common purpose or values, these are conspicuously absent or unarticulated in Africa. Without any coherent common/shared values, sub-regional activism has emerged in an ad-hoc manner, in response to immediate needs. The success of such initiatives, therefore, depends heavily on the support of the international community.

Regional powers in Africa committed to peace and security are central to successful regional approaches. Nigeria in West Africa is viewed as an important partner for peace, and an essential engine for ECOWAS. In the Great Lakes region, however, the larger country is in a peculiar situation of a "dead giant" whose neighbors are preying on it. Unlike West Africa or Southern Africa, the Great Lakes currently lacks of a regional hegemon with vision and ability to help create a coherent peace and security initiative.

Regional approaches create a number of challenges for regional organizations in Africa. Some of these challenges are in the areas of coordination and partnership with the Security Council and other regional or sub-regional organizations. Regional organizations have found themselves at the forefront of intervention in spite of their limited capacities. The UN, and the Security Council in particular, must contribute to building regional capacity, supporting a common approach by regional actors and enhancing their role as mediators, facilitators and monitors of peace initiatives as well as antennae for tension spots. Although partnership with the Organization of African Unity (OAU) has been limited, it can provide lessons for sub-regional conflict management. With its transformation to the African Union, the critical issue is how the Council can support the new body to follow up and build on progress made by the OAU.